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Attorneys for *Respondent/Secured Creditor*  
THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK SUCCESSOR  
TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR THE BEAR  
STEARNS ALT-A TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES  
2005-04

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

In re  
JEFFREY S. BEIER,  
Debtor.

Case No. 8:23-bk-10898-TA

Chapter 7

**STIPULATION TO EXTEND  
DEADLINE TO FILE AN OPPOSITION  
TO CHAPTER 7 TRUSTEE’S MOTION  
FOR ORDER: (1) AUTHORIZING  
SALE OF REAL PROPERTY FREE  
AND CLEAR OF LIENS AND  
INTERESTS PURSUANT TO 11 U.S.C.  
363(f); (2) APPROVING OVERBID  
PROCEDURES; (3) APPROVING  
BROKER COMPENSATION; (4)  
AUTHORIZING DISTRIBUTION OF  
SALE PROCEEDS; (5) DETERMINING  
THAT THE PROPOSED BUYER AND  
OVERBIDDER ARE “GOOD FAITH  
PURCHASERS” UNDER 11 U.S.C.  
363(m); AND (6) WAIVING 14 DAY  
STAY IMPOSED BY FEDERAL RULE  
OF BANKRUPTCY PROCEDURE  
6004(h); DECLARATIONS OF A.  
CISNEROS, BRIAN THOMPSON,  
PROPOSED BUYER, AND  
OVERBIDDER IN SUPPORT HEREOF**

DATE: October 31, 2023  
TIME: 11:00 a.m.  
CTRM: Via Zoom Teleconference

411 West Fourth Street  
Santa Ana, CA 92701

This Stipulation to Extend Deadline to file an Opposition to the Chapter 7 Trustee's Motion for Order: (1) Authorizing Sale of Real Property Free and Clear of Interests Pursuant to 11 U.S.C. § 363(f); (2) Approving Overbid Procedures; (3) Approving Broker Compensation; (4) Authorizing Distribution of Sale Proceeds; (5) Determining that the Proposed Buyer and Overbidder are "Good Faith Purchasers" Under 11 U.S.C. § 363(m); and (6) Waiving 14 Day Stay Impose by Federal Rule of Bankruptcy Procedure 6004(h) ("Stipulation") is entered into by and between The Bank of New York Mellon FKA the Bank of New York Successor Trustee to JPMorgan Chase Bank, N.A., as Trustee for the Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates, Series 2005-04 ("BONY"), and the Chapter 7 Trustee Arturo Cisneros ("Trustee").

Whereas, on October 3, 2023, Trustee filed a Motion for Order: (1) Authorizing Sale of Real Property Free and Clear of Interests Pursuant to 11 U.S.C. § 363(f); (2) Approving Overbid Procedures; (3) Approving Broker Compensation; (4) Authorizing Distribution of Sale Proceeds; (5) Determining that the Proposed Buyer and Overbidder are "Good Faith Purchasers" Under 11 U.S.C. § 363(m); and (6) Waiving 14 Day Stay Impose by Federal Rule of Bankruptcy Procedure 6004(h) ("Motion to Sell") regarding the real property better known as 10 Tucson, Coto De Caza Area, California 92679 (the "Property") which secures a first position lien held by BONY.

Whereas, the Notice of the Motion to Sell lists the deadline to object to the Motion to Sell as October 17, 2023.

Whereas, Trustee has agreed to extend BONY's deadline to respond to the Motion to Sell from October 17, 2023 to October 20, 2023.

NOW THEREFORE, it is hereby stipulated by and between BONY and Trustee, through their undersigned counsel of record, subject to the approval of the Court, as follows:

The deadline for BONY to file an opposition to the Motion to Sell shall be extended to

October 20<sup>th</sup>, 2023.

ALDRIDGE PITE, LLP  
/s/Joseph Delmotte

Dated: October 17, 2023

Joseph C. Delmotte  
Attorneys for *Respondent/Secured Creditor* THE  
BANK OF NEW YORK MELLON FKA THE  
BANK OF NEW YORK SUCCESSOR TRUSTEE  
TO JPMORGAN CHASE BANK, N.A., AS  
TRUSTEE FOR THE BEAR STEARNS ALT-A  
TRUST, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-04



Dated: October 17, 2023

Nathan F. Smith  
Attorney for Chapter 7 Trustee Arturo Cisneros

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
8880 Rio San Diego Drive, Suite 725 San Diego, CA 92108

A true and correct copy of the foregoing document entitled: **STIPULATION TO EXTEND DEADLINE TO FILE AN OPPOSITION TO CHAPTER 7 TRUSTEE'S MOTION FOR ORDER: (1) AUTHORIZING SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS AND INTERESTS PURSUANT TO 11 U.S.C. 363(f); (2) APPROVING OVERBID PROCEDURES; (3) APPROVING BROKER COMPENSATION; (4) AUTHORIZING DISTRIBUTION OF SALE PROCEEDS; (5) DETERMINING THAT THE PROPOSED BUYER AND OVERBIDDER ARE "GOOD FAITH PURCHASERS" UNDER 11 U.S.C. 363(m); AND (6) WAIVING 14 DAY STAY IMPOSED BY FEDERAL RULE OF BANKRUPTCY PROCEDURE 6004(h); DECLARATIONS OF A. CISNEROS, BRIAN THOMPSON, PROPOSED BUYER, AND OVERBIDDER IN SUPPORT HEREOF** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* October 17, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

**U.S. TRUSTEE:**

ustpregion16.sa.ecf@usdoj.gov

**TRUSTEE:**

Arturo Cisneros- arturo@mclaw.org

**ATTORNEY FOR DEBTOR:**

Anerio V Altman LakeForestBankruptcy@jubileebk.net

**TRUSTEE'S ATTORNEY:**

Nathan F. Smith- nathan@mclaw.org

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On *(date)* October 17, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**PRESIDING JUDGE:**

Honorable Theodor Albert  
U.S. Bankruptcy Court Central District Of California  
(Santa Ana)  
Ronald Reagan Federal Building and Courthouse  
411 West Fourth Street, Suite 5085 / Courtroom 5B  
Santa Ana, CA 92701-4593

**DEBTOR:**

Jeffrey S Beier  
P O Box 7644  
Laguna Niguel, CA 92677

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/17/2023

Lauren Timby

/s/ Lauren Timby

*Date*

*Printed name*

*Signature*

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.